

Robert B. Wilson
Chapter 13 Trustee
1407 Buddy Holly Avenue
Lubbock, TX 79401-9401
(806)748-1980 Phone
(806)748-1956 Fax

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION**

IN RE:

**KERBY ELDON RODGERS
BERTHA ELAINE RODGERS**

Case No: 17-70280

Debtors

**Hearing Date: July 15, 2020
Hearing Time: 10:00 AM**

NOTICE OF MOTION

TO: ALL PARTIES LISTED ON THE ATTACHED CERTIFICATE OF SERVICE

PLEASE TAKE NOTICE that on June 19, 2020, Robert B. Wilson, Standing Chapter 13 Trustee, in the captioned case filed with the United States Bankruptcy Court for the Northern District of Texas (the “Bankruptcy Court”) the attached Trustee’s Motion to Determine Debtor(s)’ cure of Default and Payments of All Required Post-Petition Amounts Under Bankruptcy Rule 3002.1(h) (the “Motion”).

PLEASE TAKE FURTHER NOTICE that a hearing will be held at 10:00 AM, 07/15/2020. A pre-hearing will be held at 8:30 AM on 07/15/2020.

Date: June 19, 2020

/s/ Robert B. Wilson

Robert B. Wilson, Bar # 21715000
Chapter 13 Trustee
Marc McBeath, Bar # 13328600
Staff Attorney

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**IN THE UNITED STATES BANKRUPTCY COURT
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IN RE:

**KERBY ELDON RODGERS
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Case No: 17-70280

Debtors

**Hearing Date: July 15, 2020
Hearing Time: 10:00 AM**

**TRUSTEE'S MOTION TO DETERMINE DEBTOR(S)' CURE OF DEFAULT AND
PAYMENT OF ALL REQUIRED POST-PETITION AMOUNTS UNDER BANKRUPTCY
RULE 3002.1(h)**

NOW COMES ROBERT B. WILSON, STANDING CHAPTER 13 TRUSTEE, and files this Motion to Determine Debtor(s)' Cure of Default and Payment of All Required Post-Petition Amounts Under Bankruptcy Rule 3002.1(h), and in support of his motion, would respectfully show the court the following:

1. This is a Chapter 13 case involving a claim secured by a security interest in the debtor(s)' principal residence and provided for under §1322(b)(5). Bankruptcy Rule 3002.1(a).
2. Debtor(s) completed all payments under the plan, and Trustee filed and served the appropriate parties the Notice of Final Cure on 06/01/2020.
3. On 06/15/2020, the holder of the claim secured by a lien on debtor(s)' principal residence filed a response to the Notice of Final Cure indicating that debtor(s) had not paid in full the amount required to cure the default and/or that debtor(s) is not otherwise current on all payments consistent with §1322(b)(5) of the Code.
4. Trustee requests that after notice and hearing, the Bankruptcy Court determine whether the debtor(s) has cured the default and paid all required post-petition amounts.

WHEREFORE, PREMISES CONSIDERED, Robert B. Wilson, Chapter 13 Trustee, prays that after notice and hearing, the Bankruptcy Court determine whether debtor(s) has cured the default and paid all required post-petition amounts and for such other and further relief to which the Trustee may be justly entitled.

Date: June 19, 2020

Respectfully Submitted,

/s/ Robert B. Wilson

Robert B. Wilson, Bar # 21715000
Chapter 13 Trustee
Marc McBeath, Bar # 13328600
Staff Attorney

NOTICE OF HEARING

A HEARING SHALL BE HELD ON 07/15/2020, AT 10:00 AM AT THE FOLLOWING ADDRESS:

VIDEO

US COURTHOUSE ROOM 216A
10TH AND LAMAR STREETS
WICHITA FALLS, TX 76301

LIVE

US COURTHOUSE ROOM 222
10TH & LAMAR STREETS
WICHITA FALLS, TX 76301

A PRE-HEARING CONFERENCE SHALL BE HELD ON 07/15/2020, AT 8:30 AM. THE HEARING AND PRE-HEARING WILL BE HELD AT:

PRE-HEARING

US COURTHOUSE ROOM 303
10TH AND LAMAR STREETS
WICHITA FALLS, TX 76301

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion was this date served on the following parties electronically or at the addresses listed below by U.S. First Class mail:

KERBY ELDON RODGERS, BERTHA ELAINE RODGERS, PO BOX 517, HENRIETTA, TX 76365

ELECTRONIC SERVICE - MONTE J WHITE, ATTORNEY AT LAW, 1106 BROOK AVE HAMILTON PLACE, WICHITA FALLS, TX 76301

CARRINGTON MORTGAGE SERVICES LLC, 1600 S DOUGLASS RD, ANAHEIM, CA 92806

CITIFINANCIAL, PO Box 9001041, LOUISVILLE, KY 40290-1041

LINEBARGER GOGGAN BLAIR & SAMPSON LLP, 2777 N STEMMONS FREEWAY SUITE 1000, DALLAS, TX 75207

One Main Financial/fka Citifinancial, 4214 Kell Blvd Suite 107, Wichita Falls, TX 76309-4819

ONEMAIN FINANCIAL, PO BOX 140489, IRVING, TX 75014-0489

SHAPIRO SCHWARTZ LLP, 13105 NORTHWEST FREEWAY, SUITE 1200, HOUSTON, TX 77040

Date: June 19, 2020

/s/ Robert B. Wilson

Robert B. Wilson, Bar # 21715000
Chapter 13 Trustee
Marc McBeath, Bar # 13328600
Staff Attorney